



## Seychelles

### Country Reports on Human Rights Practices - [2001](#)

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President France Albert Rene and the Seychelles People's Progressive Front (SPPF) have governed the country since a 1977 military coup. In the early 1990's, the SPPF guided the country's return to a multiparty political system, which culminated in 1993 in the country's first free and fair presidential and parliamentary elections since 1977. In September President Rene and the SPPF again won reelection with 54 percent of the vote; Seychelles National Party (SNP) candidate Wavel Ramkalawan received 45 percent and independent candidate Dr. Philip Boulle 1 percent. Although the opposition criticized the election for a number of irregularities, some international observers concluded that overall result was decided fairly; however, other international observers concluded that the election was not entirely free and fair. In 1998 the SPPF retained a 30-seat majority in the 34-seat National Assembly. The President and the SPPF dominate the country through a pervasive system of political patronage and control over government jobs, contracts, and resources. The judiciary is subject to executive interference.

The President has complete control over the security apparatus, which includes a national guard force, the army, the Presidential Protection Unit, the coast guard, the marines, and the police. There also is an armed paramilitary Police Mobile Unit. Security forces on occasion were responsible for some human rights abuses.

The economy provided the country's approximately 81,000 residents with an average per capita income of \$7,444 (SR 38,709). The Government provided generally adequate social services. The Government in recent years has diversified the economy by increasing the revenues received from fishing rights and investing in the fish-processing sector with foreign joint partners in order to move the economy away from its heavy reliance on tourism. Manufacturing has surpassed tourism as the most important economic activity; however, no significant new investments were made during the year. Overall growth remained sluggish, largely due to shortages of foreign exchange and the pervasive presence of inefficient state enterprises. There was no progress toward privatization during the year. The country's application to join the World Trade Organization obliged it to consider reforming its trade and foreign exchange regimes; however, it made few substantive changes by year's end.

The Government generally respected the human rights of its citizens; however, there were problems in some areas. President Rene and the SPPF continued to wield power virtually unchecked. Police used tear gas to disperse forcibly one gathering during the year. Security forces arbitrarily arrested and detained citizens; however, such actions were limited to detention during the weekend in order to avoid compliance with the Constitution's 24-hour "charge or release" provision. The Government is unlikely to investigate or punish those involved in violations of citizens' human rights during a law enforcement crackdown in 1998. The judiciary is inefficient, lacks resources, and is subject to executive influence. There were some restrictions on freedom of the press. Violence against women continued and child abuse remained a problem. Discrimination against foreign workers also was a problem.

#### RESPECT FOR HUMAN RIGHTS

##### Section 1 Respect for the Integrity of the Person, Including Freedom From:

###### a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life by the Government or its agents.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution expressly forbids torture; however, while there were no reported instances of the use of torture by the security forces, there was a report that police beat a man while he was in police custody in March 2000 on the island of La Digue. The family of the detainee sued the Commissioner of Police and the three police officers on duty at the time for \$4,386 (SR 25,000) in damages. Both a criminal and a civil suit have been filed; the first hearing in the case is scheduled for 2002.

In May on the island of Praslin, several plainclothes police officers used tear gas to disperse forcibly a group of soccer players and their fans who had gathered on the field to celebrate their victory; there were no reports of any injuries (see Sections 1.d. and 2.b.).

The Government is unlikely to investigate or punish those members of the security forces who allegedly tortured suspects in custody in 1998. Some cases that were brought against the Government and the army are unlikely to be resolved.

Conditions at the Long Island prison, the only such facility in the country, remained Spartan. With approximately 166 inmates, the prison was considered overcrowded; however, no prisoners were released during the year to alleviate overcrowding. Prisoners have access to medical care. Family members were allowed monthly visits, and prisoners have access to reading but not writing materials. Men are held separately from women, and juveniles are held separately from adults. There were no reports of abuse of women or juveniles by guards or other inmates.

There is no regular system of independent monitoring of prisons; however, local and international nongovernmental organizations (NGO's) were allowed to visit. At least one visit was conducted during the year.

d. Arbitrary Arrest, Detention, or Exile

The Constitution provides that persons arrested must be brought before a magistrate within 24 hours with allowances made for boat travel from distant islands. The law provides for detention without charge for up to 7 days if authorized by court order. Defense attorneys have asserted that extended periods of detention under harsh conditions were used to extort confessions from suspects, but there were no such incidents reported in during the year. Police occasionally detained individuals on a Friday or Saturday in order to allow for a longer period of detention without charge, thereby avoiding compliance with the Constitution's 24-hour "charge or release" provision. The police released such persons on a Monday before the court could rule on a writ of habeas corpus.

In May on the island of Praslin, several plainclothes police officers used tear gas to disperse forcibly a group of soccer players and their fans that had gathered on the field to celebrate their victory. Soldiers arrested and detained for 1 day approximately 20 players and fans at local police stations. Although the players and fans faced possible charges of disturbing the peace, no charges were filed as a result of the incident. However, some members of the football team were suspended for life and others were suspended for varying amounts of time. This particular football club is known to have links with the opposition party (see Sections 1.c. and 2.b.).

Detainees have the right of access to legal counsel, but security forces, in hopes of eliciting a confession or other information, sometimes withhold this right. Free counsel was provided to the indigent. Bail was available for most offenses.

Several persons have brought civil cases against the police for unlawful arrest or entry, with limited success. There were reports during the year that members of the police drug squad entered homes and detained persons without a warrant (see Section 1.f.).

The law prohibits forced exile, and the Government does not employ it. Following the 1977 coup, a number of persons went into voluntary exile, and others were released from prison with the condition that they leave the country immediately. A number of these former exiles that returned to the country were able to reacquire their property; however, several claims remained in the court system at year's end.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, it is inefficient, lacks resources, and is subject to executive interference.

The judicial system includes magistrates' courts, the Supreme Court, the Constitutional Court, and the Court of Appeal. The Constitutional Court convenes weekly or as necessary to consider constitutional issues only. The Court of Appeal convenes three times per year for 2 weeks in April, August, and October to consider appeals from the Supreme Court and Constitutional Court only.

All judges are appointed for 7 years and can be reappointed by the President on the recommendation of the Constitutional Appointment Committee. All sitting judges were hired from other Commonwealth countries, including Mauritius, India, Sri Lanka, Nigeria, and Zambia; none are citizens, with the exception of the Chief Justice, who is a naturalized citizen. The Seychelles Bar Association has criticized the Government for not advertising domestically that judicial positions are available, since 30 citizens practice law either domestically or abroad. Some observers criticized expatriate judges for a perceived lack of sensitivity on issues such as human rights. Legal entities of the Government, such as the Attorney General's Office and the Ombudsman, are reluctant to pursue charges of wrongdoing or abuse of power against senior officials.

Defendants generally have the right to a fair trial. Depending on the gravity of the offense, criminal cases are heard by magistrates' court or the Supreme Court. A jury is used in cases involving murder or treason. Trials are public, and the accused is considered innocent until proven guilty. Defendants have the right to counsel, to be present at their trial, to confront witnesses, and to appeal.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides for the right to privacy and freedom from arbitrary searches. The law requires a warrant for police searches and seizures; however, there were reports that members of the police drug squad entered homes and detained persons without a warrant. The law requires that all electronic surveillance be justified on the grounds of preventing a serious crime and approved by a judge. The Government maintained telephone surveillance of some political figures.

Some members of opposition parties claimed that they lost their government jobs because of their political beliefs and are at a disadvantage when applying for government licenses and loans.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, it also provides for restrictions on speech "for protecting the reputation, rights, and freedoms of private lives of persons" and "in the interest of defense, public safety, public order, public morality, or public health," and as a result both freedom of speech and of the press are constrained by the ease with which civil lawsuits can be filed to penalize journalists for alleged libel. In February 2000, the National Assembly passed the Broadcasting and Telecommunication Bill, which allows the Minister of Information Technology to prohibit the broadcast of any material believed to be against the "national interest" or "objectionable;" however, the bill was not used against journalists or the media during the year. The legislation also requires telecommunications companies to submit subscriber information to the Government. In most instances, citizens speak freely, including in Parliament.

In May government officials seized a shipment of copies of a local singer's album on the grounds that the singer had not obtained an import permit for the shipment. The singer claimed the album copies were seized because they contained songs that were critical of the Government and that called for political change. In June the government-controlled Seychelles Broadcasting Corporation (SBC) banned the musician's songs from being broadcast on the grounds that they were seditious.

The Government has a near monopoly of the media, owning the only television and radio stations, the most important means for reaching the public, and the only daily newspaper, the Nation. The official media adhered closely to the Government's position on policy issues and gave the opposition and news adverse to the Government only limited attention. While both opposition parties publish an assortment of newsletters and magazines, only one significant opposition newspaper, the weekly Regar, is in circulation. Government officials

have sued Regar for libel 10 times in the last 6 years. In January President Rene sued Regar and the SNP for libel, demanding \$1.5 million (SR 9 million) in damages. In the lawsuits, Rene claimed Regar and the SNP libeled him when they suggested that he had stolen money from the Government's Children's Fund and when Regar criticized him for using expensive imported marble in the construction of a private residence. The Supreme Court agreed to expedite the cases and scheduled them to be heard in March. Following diplomatic and public protest over the lawsuits, the Government requested that the cases be postponed until January 2002.

In July the Constitutional Court ruled that Regar did not have to turn over to the Government a copy of a letter published by the paper. In 2000 the Government had sued Regar's editor and publisher for contempt for failing to turn over a letter. Regar officials argued that providing officials with the letter would violate their right to keep sources confidential. The Supreme Court dismissed the charge; however, the Attorney General's office sought a court order to obtain a copy of the letter. A judge ruled later that the matter would be heard in the Constitutional Court.

In March government-controlled media refused to broadcast a speech made in Parliament by the leader of the opposition that was critical of President Rene's State of the Nation address.

The license fees for a private radio or television station were \$151,200 (SR 800,000) per year, while newspaper publishing licenses are \$760 (SR 4,000) plus a bank guarantee of \$19,000 (SR 100,000). The high fees were a deterrent to the establishment of private radio and television stations.

In May the Constitutional Court dismissed the opposition party suit filed with the Court in 1999. The opposition claimed that the appointment of 8 civil servants and the President's wife to the 10-member board of the Seychelles Broadcasting Corporation (SBC) violated the constitutional requirement that state-owned media be managed by a body independent of the Government; however, the Court ruled that the opposition could not prove that the members of the SBC board had displayed bias.

The Internet was available in the country, and the Government permitted access to it without restriction.

Academic freedom is limited due to the fact that one cannot reach senior positions in the academic bureaucracy without demonstrating at least nominal loyalty to the SPPF. There are no universities; secondary school teacher appointments largely are apolitical. The Government controls access to the Polytechnic, the most advanced learning institution.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association, and the Government generally respects these rights in practice. In May on the island of Praslin, several plainclothes police officers used tear gas to disperse forcibly a group of soccer players and their fans, primarily youths, that had gathered on the field to celebrate their victory; approximately 20 persons were arrested (see Sections 1.c. and 1.d.). Following the incident, a group of persons protested the treatment of the players and their fans at the local police station, and members of the army were sent to patrol the island.

#### c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

In the past, the Government did not demonstrate favoritism toward one religion over another; however, in early 2000, the SNP, which is led by an Anglican minister, claimed that the Government gave a grant of \$164,000 (SR 900,000) to the Baha'i Faith in 1999, following its incorporation. According to the SNP, this grant has not been offered to other faiths that have been established recently in the country. According to the Government, \$192,000 (SR 1 million) of the national budget is allocated to provide assistance to faiths that request it. The grant to the Baha'i Faith was for the purpose of building a temple, and in the past, the Anglican, Hindu and Roman Catholic faiths have benefited from government grants.

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respects them in practice; however, although it was not used to refuse a passport application, the law allows the Government to deny passports to any citizen if the Minister of Defense finds that such denial is "in the national interest." While the resident departure tax of \$95 (SR 500) is payable in local currency, government foreign exchange regulations and the

foreign exchange shortage hinder many citizens from being able to afford foreign travel, although they might have sufficient means in local currency. According to the law, citizens cannot possess any foreign exchange unless in possession of a receipt from a licensed foreign exchange vendor. In addition banks provided only \$95 (SR 500) to a maximum \$200 (SR 1,146) to those departing the country because of the extreme foreign exchange shortage.

The law contains provisions for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. As there have been no recent refugee cases, there were no reports of government cooperation with the office of the U.N. High Commissioner for Refugees; however, there are no indications that the Government would not cooperate if such cases arose.

There were no known requests for asylum, and there are no refugees in the country. The issue of first asylum did not arise during the year. The Immigration Act does not mention asylum. There were no reports of the forced return of persons to a country where they feared persecution.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens exercised the right to change their government in the September presidential elections and in 1993 and 1998 National Assembly elections, despite the fact that President Rene and the SPPF dominated the elections. Suffrage is universal.

In the September presidential election, approximately 90 percent of eligible voters participated. President Rene was reelected with 54 percent of the vote; SNP candidate Wavel Ramkalawan received 45 percent, and independent candidate Dr. Philip Boule received 1 percent. Only the chief opposition party, the SNP, chose to contest the election; the Democratic Party did not field a candidate. Many Democratic Party supporters apparently voted for Ramkalawan. Ramkalawan challenged the election results; he accused the SPPF of intimidation, vote buying, and not respecting the election rules. His court challenge remained pending at year's end. Observers from the Southern African Development Community (SADC), the Commonwealth Organization, and the Francophone Organization supervised the polling. SADC observers noted "minor hitches," but stated their satisfaction with the election and in particular observed "transparency" during vote casting and counting. However, on October 5, the Commonwealth Organization observers released their report, which concluded that the elections were peaceful but not entirely free and fair. The report described instances of intimidation during voting and the lack of open competition during the campaign.

Prior to the elections, the SNP protested to the Electoral Commissioner that a parastatal company, whose chairman is President Rene, was requiring employees to attend a government-sponsored political rally. The opposition party reported that employees who did not attend the rally risked losing their year-end bonuses (see Section 6.a.).

In the March 1998 parliamentary elections, the SNP--then known as the United Opposition--won one directly elected seat and two proportionally elected seats, thereby becoming the leading opposition party. Former Prime Minister James Mancham's Democratic Party won only one proportional seat, and Mancham lost the role of leader of the opposition to Ramkalawan. Ramkalawan has played effectively the role of chief government critic as leader of the opposition.

The President's SPPF party continued to utilize its political resources and those of the Government to develop a nationwide organization that extends to the village level. The opposition parties have been unable to match the SPPF's organization and patronage, in part because of financial limitations. In the 2000 budget, the SPPF was allocated \$54,202 (SR 308,952), the SNP \$22,889 (SR 130,470), and the Democratic Party \$10,628 (SR 60,578).

In 2000 the National Assembly amended the Constitution to allow the President to call presidential elections separately from National Assembly elections at any time after the first year of his 5-year term in office, which allowed President Rene to call presidential elections in September.

The percentage of women in government or politics does not correspond to their percentage of the population. Women hold 3 of the 12 ministerial positions in the new cabinet announced in September. They continue to hold 8 of the 34 seats in the National Assembly, 6 by direct election and 2 by proportional representation.

### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic human rights groups, including churches, generally operate without government

restriction, investigating and publishing their findings on human rights cases. Government officials are generally cooperative and responsive to their views.

Two private human rights related organizations operated in the country. The Friends for a Democratic Society pledged to focus on raising awareness of individual rights in a democracy, but has thus far proved to be an inactive organization. In 1999 the Center for Rights and Development (CEFRAD) published a 5-year action plan that stressed respect for human rights, participation in a civil society, and sensible approaches to development. CEFRAD also established ties with other national and international NGO's. In July Simeon Ake, an Organization of African Unity's (OAU) representative from the Cote d'Ivoire, led a two-person delegation to the country from the Commission on Human and People's Rights; however, there was no report released publicly by year's end.

#### Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution affirms the right to be free from all types of discrimination, but it does not prohibit discrimination based on these factors specifically. Nevertheless, in practice there is no overt discrimination in housing, employment, education, or other social services based on race, sex, ethnicity, nationality, disabilities, or religious affiliation.

#### Women

Domestic violence against women, particularly wife beating, remains a problem and increased during the year. Police seldom intervene in domestic disputes, unless the dispute involves a weapon or major assault. The few cases that reach a prosecutor often were dismissed, or, if a case reached court, the perpetrator usually was given only a light sentence. Rape, spousal rape, and domestic abuse are criminal offenses. Between January and October, the Probation Services recorded 91 domestic violence cases against women. A survey of six church parishes conducted in 1999 by the Association for the Promotion of Solid Humane Families, an NGO, revealed that 25 percent of those surveyed stated that they had been victims of domestic violence, confirming the general belief that the problem is more widespread than official statistics indicate. Participants in the NGO survey stated that alcohol was one of the main causes of domestic violence. There was growing societal concern about domestic violence and increased recognition of the need to address it. During the year, local NGO's sponsored awareness campaigns and training programs for women and girls.

The society is largely matriarchal, with 75 percent of births out-of-wedlock in 2000. There were no reports of societal discrimination against unwed mothers, and fathers are required by law to support their children. The age of consent was lowered from 16 to 14 in 1993, and 13 percent of all births in 2000 occurred to women under 20 years of age. Girls are not allowed to attend school when they are pregnant, and many do not return to school after the birth of a child. There is no officially sanctioned discrimination in employment, and women are well represented in business. Inheritance laws do not discriminate against women.

#### Children

The law protects children from physical abuse. The Division of Social Affairs in the Ministry of Social Affairs and Manpower Development works to protect children's rights. Children are required to attend school through the 10th grade and until the age of 16 or 17, depending on what age they are when they finish the 10th grade. Free public education is available through the secondary level until age 18. Parents contribute up to two-thirds of the cost of post-secondary education and training based on their income for both in country and overseas schools. According to government figures, all children between the ages of 6 and 16 attend school, and the enrollment of boys and girls is roughly equal. The National Youth Service was disbanded in January 1999 and replaced with a noncompulsory fifth year of secondary school. After completing secondary school, students can go to the Polytechnic School for Vocational Training, abroad for university studies, or to apprenticeship or short-term work programs. Children in the latter programs received a training stipend, which was less than the minimum wage.

An 18-member Family Tribunal heard and decided all matters relating to the care, custody, access, and maintenance of children, except paternity cases, which remain under the courts. In the previous year, approximately 2,850 cases were presented to the Tribunal. Approximately 14 percent of all cases presented to the Family Tribunal were resolved during the first hearing. The Family Tribunal also was responsible for collecting and disbursing child support payments made by family members. In June it was reported that as much as \$173,077 (SR 900,000) was missing from the child support funds. The Ministry of Social Affairs opened an investigation into the matter.

Sexual abuse of children, usually in low-income families, was a problem, although only 36 cases of sexual

abuse of girls and 6 involving boys were reported by year's end. Ministry of Health data and press reports indicate that there are a significant number of rapes committed against girls under the age of 15. Very few child abuse cases actually were prosecuted in court. The strongest public advocate for young victims is a semiautonomous agency, the National Council for Children. There was criticism that the police failed to investigate vigorously charges of child abuse.

#### Persons with Disabilities

There was no discrimination against persons with disabilities in housing, jobs, or education; however, there is no legislation providing for access to public buildings, transportation, or state services.

#### National/Racial/Ethnic Minorities

The education gap between Creoles and citizens of white or Asian origin continued to narrow. The Government is attempting to reduce this gap through universal access to public education. Creoles are well integrated into society, business, and politics.

#### Section 6 Worker Rights

##### a. The Right of Association

The law provides workers with the right to form and join unions of their choosing; however, police, military, prison, and fire-fighting personnel may not unionize. Between 15 and 20 percent of the workforce is unionized.

There are two trade union organizations: One dominated by the SPPF, the Seychelles Federation of Workers Union (SFWU), and one independent federation, the Seychelles Workers Union (SWU).

Strikes are illegal; however, a strike may be allowed if written permission or approval from the Commissioner of Police is obtained. The last recorded strike occurred in the early 1960's.

Unions may affiliate freely with international bodies; the SFWU is a member of the International Confederation of Free Trade Unions.

In August the opposition party protested to the Electoral Commissioner that a parastatal company was requiring employees to attend a government-sponsored political rally for the presidential elections. The opposition party reported that employees who did not attend the rally risked losing their year-end bonuses (see Section 3).

##### b. The Right to Organize and Bargain Collectively

The law provides workers with the right to engage in collective bargaining; however, in practice free collective bargaining did not take place. The Government has the right to review and approve all collective bargaining agreements in the public and private sectors. There was little flexibility in setting wages. In the public sector, which employs 57 percent of the labor force, the Government sets mandatory wage scales for employees. Wages in the private sector generally are set by the employer in individual agreements with the employee, but in the few larger businesses, wage scales are subject to the Government's right of review and approval. Private employers historically have paid higher wages than the Government in order to attract qualified workers. However, economic problems during the year led to continued downward pressures on wages.

The law authorizes the Ministry of Employment and Social Affairs to establish and enforce employment terms, conditions, and benefits. Workers frequently have obtained recourse against their employers through the Ministry.

The law prohibits antiunion discrimination by employers against union members.

There are 24 companies that participate in an export processing zone known as the Seychelles International Trade Zone (SITZ). The SITZ is bound only by the Seychelles Trade Zone Act and is not obliged to adhere to labor, property, tax, business, or immigration laws. In 1999 one of the companies based in the SITZ, Indian Ocean Tuna (IOT), discharged workers who had come from Madagascar. IOT claimed that the workers were engaging in prostitution, and they were returned to Madagascar. The workers alleged that they were being mistreated and were not receiving their salaries.

### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, and there were no reports that such practices occurred.

The Government prohibits forced and bonded labor by children, and there were no reports that such practices occur.

### d. Status of Child Labor Practices and Minimum Age for Employment

The Constitution states that the minimum age for employment is 15, "subject to exceptions for children who are employed part time in light work prescribed by law without harm to their health, morals, or education." It is a criminal offense punishable by a fine of \$1,130 (SR 6,000) to employ a child under the age of 15. The Ministry of Employment and Social Services is responsible for enforcing child labor laws and investigating abuses of child labor. The Ministry handled such complaints within its general budget and staffing; no cases that required investigation were reported by year's end.

The Government prohibits forced and bonded labor by children, and such practices are not known to occur.

### e. Acceptable Conditions of Work

The complicated minimum wage scale is regulated administratively by the Government; it covers the public and state-owned sectors and differentiates among various job classifications. The Ministry of Employment and Social Affairs enforces minimum wage regulations. The official minimum wage is \$427 (SR 2,225) per month. Trade unions contend that government entities pay some workers less than the legal minimum wage. Even with the free public services that are available, primarily health care and education, independent labor unions dispute that a single salary at the low end of the pay scale provides a decent standard of living for a worker and family.

The legal maximum workweek varied from 45 to 52 hours, depending on the economic sector, while government employees worked fewer hours. Each full-time worker is entitled to a 30-minute break per day and a minimum of 21 days of paid annual leave. Workers are permitted to work overtime up to 60 additional hours per month. The Government generally enforced these regulations. Foreign workers do not enjoy the same legal protections.

In recent years, there has been a growing trend to admit foreign workers, primarily from China, India, the Philippines, and Madagascar, to work in the construction and commercial fishing sectors, because few citizens choose to work in these sectors. Although it is difficult to determine the living and working conditions of these workers, there was evidence that the labor laws were flouted routinely with the Government's knowledge and acquiescence. These workers were paid lower wages and forced to work longer hours than citizens.

In January several Kenyan teachers who had been recruited to teach in the country returned to Kenya complaining of poor working conditions and their inability to obtain foreign exchange to repatriate their earnings. In July 25 Filipinos who worked at a prawn farm owned by a parastatal company published a notice in the opposition newspaper protesting their working conditions. They stated that they were being forced to work 260 hours per month with only 4 days off, that they only received \$423 (SR 2,200) per month in wages (including overtime), and that they did not receive the complete housing and foreign exchange benefits they were promised. The workers claimed that meetings with the farm's managers did not resolve the issues and that the Ministry of Employment refused to acknowledge their grievances. In August 16 of the workers were fired as a result of their protests and were told to leave the country immediately.

The Ministry of Employment and Social Affairs has formal responsibility for enforcing the Government's comprehensive occupational health and safety regulations; however, the Ministry of Health also seeks a role in this area. An ILO team, which visited in 1995, found serious deficiencies in the management and effectiveness of government monitoring and enforcement efforts. Occupational injuries are most common in the construction, marine, and port industries. A worker who removes himself from a potentially dangerous situation on the job is considered to have resigned. Safety and health inspectors rarely visit job sites. Unlike in the previous year, there were no work-related deaths during the year. Workers do not have the right to remove themselves from dangerous or unhealthy work situations without risking their continued employment.

### f. Trafficking in Persons

The law prohibits trafficking in persons, and there were no reports that persons were trafficked to, from, or



within the country.